

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of)	WT Docket No. 10-4
the Commission's Rules to Improve Wireless)	
Coverage Through the Use of Signal Boosters)	
)	

To: The Commission

COMMENTS OF T-MOBILE USA, INC.

T-Mobile USA, Inc. ("T-Mobile")¹ hereby responds to the Commission's *Second Further Notice of Proposed Rulemaking* ("*Second FNPRM*") in the captioned proceeding.² T-Mobile has participated actively in the Commission's wireless signal booster proceeding from the outset and has strongly supported rules that would protect networks from interference while, at the same time, allowing for the development and use of a variety of types of signal boosters.³ T-Mobile was among the parties that negotiated a consensus proposal, which included a network protection standard, to permit expansive signal booster deployments.⁴ The Commission adopted rules consistent with this approach and consumers now have access to a wide range of consumer signal boosters.

¹ T-Mobile USA, Inc. is a wholly-owned subsidiary of T-Mobile US, Inc., a publicly-traded company.

² *Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters*, Second Report and Order and Further Notice of Proposed Rulemaking, FCC 18-35 (rel. Mar. 23, 2018), summarized 83 Fed. Reg. 17,131 ("*Second R&O*" or "*Second FNPRM*").

³ See, e.g., *Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters*, Order on Reconsideration and Further Notice of Proposed Rulemaking, 29 FCC Rcd 11563, 11568 (2014) ("*FNPRM*") (citing Letter from Michiel Lötter, Nextivity, Inc., Steve B. Sharkey & Eric Hagerson, T-Mobile USA, Inc., Sean Haynberg, V-COMM, L.L.C., John T. Scott, III & Andre J. Lachance, Verizon Wireless, and Russell D. Lukas, Wilson Electronics, Inc., WT Docket No. 10-4 (filed June 8, 2012) ("Consensus Proposal")).

⁴ *FNPRM*, 29 FCC Rcd at 11568.

T-Mobile lauds the Commission’s recent removal of the personal use restriction on the operation of Provider-Specific Consumer Signal Boosters.⁵ Because of this action, small businesses, public safety entities, and other organizations now may take full advantage of boosters to improve wireless coverage.⁶ Moreover, as discussed below, T-Mobile generally supports the Commission’s current proposal to further expand access to signal boosters. The Commission should clarify, however, that wireless carriers may withhold consent for the deployment of boosters on new spectrum bands where there are unique interference issues, such as the 600 MHz band which is subject to repacking. The Commission also should clarify that any new labeling requirements will apply only to products packaged after the effective date of the new rules.

I. WIRELESS CARRIERS SHOULD BE GIVEN AUTHORITY TO PERMIT THE DEPLOYMENT OF SIGNAL BOOSTERS IN THE 600 MHZ, WCS, AND BRS/EBS BANDS

T-Mobile generally supports the Commission’s proposal to permit the operation of Consumer Signal Boosters in the 600 MHz, WCS, and BRS/EBS bands.⁷ In authorizing the deployment of signal boosters in additional bands, however, the Commission should make clear that wireless carriers may withhold consent where there are legitimate concerns over the impact of the boosters.⁸

A key component of the Signal Booster rules (and the Consensus Proposal) is compliance with the “Network Protection Standard” (or “NPS”) which is designed to ensure that consumer

⁵ *Second R&O* ¶ 9.

⁶ *Id.*

⁷ *Second FNPRM* ¶¶ 18-25.

⁸ As the Commission recognizes, the consent of wireless carriers is “a fundamental underpinning of the [signal booster] rules and a necessity for the operation of Consumer Signal Boosters.” *Id.* n.50.

signal boosters do not negatively impact the operations of commercial wireless networks.⁹ The NPS is not designed, however, to prevent boosters from negatively impacting the operations of other entities – such as television broadcasters – that are not engaged in mobile radio communications. T-Mobile thus is concerned that the deployment of boosters in certain spectrum shared with non-mobile radio operators may pose problems.

With regard to the 600 MHz band, the Commission has established a repacking process to make spectrum available for new services.¹⁰ This repacking “presents a complex engineering problem”¹¹ that must be solved by new entrants (such as T-Mobile) to ensure the “continuity of over-the-air television services while rapidly transitioning auctioned spectrum for mobile broadband use.”¹² T-Mobile is concerned that the introduction of signal boosters during this repacking process may create unanticipated interference issues. To avoid such issues, the Commission should make clear that carriers are permitted to reject requests to deploy signal boosters on this spectrum during the repacking process.¹³ Carriers should be expressly permitted to deny requests to deploy boosters in other spectrum bands where there are similar concerns.

II. SIGNAL BOOSTER LABELING REQUIREMENTS SHOULD BE CLARIFIED

The *Second FNPRM* proposes to modify the signal booster advisory label slightly,¹⁴ but does not address how the new labeling requirement would apply in the context of signal boosters packaged prior to the effective date of any new requirement. Given that the new labeling

⁹ See *Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission’s Rules to Improve Wireless Coverage Through the Use of Signal Boosters*, Report and Order, 28 FCC Rcd 1663, 1680 (2013).

¹⁰ See, e.g., *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567 (2014).

¹¹ *Id.* at 6572.

¹² Comments of T-Mobile USA, Inc., MB Docket No. 16-306 *et al.*, at i (filed Oct. 31, 2016).

¹³ Based on the transition of incumbent television licensees, wireless carriers may feel comfortable permitting the deployment of signal boosters in certain areas but oppose deployments in other more congested areas.

¹⁴ *Second FNPRM* ¶ 50.

advisory only differs slightly from the existing advisories, signal boosters that have already been packaged should be exempt from the new requirement. The burdens associated with re-packaging signal boosters outweigh the benefit associated with the new advisory.

CONCLUSION

For the reasons set forth above, the Commission should further expand access to signal boosters by permitting their deployment in additional bands and by non-subscribers. The Commission should clarify, however, that (i) wireless providers can withhold consent for signal booster deployments where there are genuine interference concerns and (ii) any new labeling requirements apply only to signal boosters packaged after the effective date of the new rules.

Respectfully submitted,

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